



**STATE OF NEW JERSEY**

In the Matter of Nazhat Aboobaker and Khalid Shaikh, Section Chief, Planning (PS0279T), Department of Transportation	:	<b>FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION</b>
CSC Docket Nos. 2022-443 and 2022- 449	:	Examination Appeals

**ISSUED: OCTOBER 12, 2021 (SLK)**

Nazhat Aboobaker and Khalid Shaikh appeal the scoring and validity of the Section Chief, Planning (PS0279T), Department of Transportation promotional examination.

By way of background, the subject examination’s closing date was August 21, 2019. A total of 26 employees applied and 20 were admitted. The test administration date was August 19, 2021 and 13 employees took the test while seven did not show. The list has not yet promulgated.

On appeal, the appellants both present that the test consisted of two parts, where part 1 was a Planning Technical written test and part 2 was the Supervisory Battery Test (STB). They indicate that the Planning Technical test had 40 questions. The appellants assert that 80 percent of the Planning Technical test questions does not relate to the Section Chief, Planning title. They submit the job specification for this title in support of their argument. Therefore, the appellants request that either Part 1 of the test be discarded, or that the non-planning technical questions in this part be discarded.

In response, the Division of Test Development, Analytics and Administration presents that as indicated in the job specification for the subject title, examples of

work in the job specification are for illustrative purposes only and a particular position using this title may not perform all duties listed in this job specification. Conversely, all duties performed on the job may not be listed. Further, it states that Subject Matter Experts (SMEs) were provided by the Department of Transportation. As standard procedure, it indicates that a job analysis was performed wherein the SMEs reviewed the knowledge, skills, and abilities (KSAs) of the subject title, and the task statements listed on the subject job specification. Additionally, the SMEs provided additional task statements and KSAs, and they provided ratings for each task statement/KSA. Thereafter, the test plan was developed based on the ratings provided in the job analysis. It presents that once the test plan was finalized, the SMEs were tasked with writing the test questions based on the findings of the job analysis and test plan.

### CONCLUSION

*N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

Initially, it is noted that a job analysis is not a review of the job specification, but an inquiry by SMEs into areas where the position is encumbered. The SMEs are required to list task statements, the percentage of time on each task, the importance of each task, the KSAs associated with each, the importance of each KSA to the task, whether the KSA could be learned on the job or brought to the job, and whether each KSA was ranking or qualifying. The examiner then has to find the common KSAs across the areas being examined, eliminating those that were qualifying or learned on the job, and develop an examination to test the important KSAs. This does not mean that KSAs not tested were not considered. *See In the Matter of David Baldasari* (MSB, decided June 21, 2006), *aff'd on reconsideration* (MSB, decided June 20, 2007).

In this matter, the questions on the technical portion of this exam were created and scored by SMEs who are experts on the duties of the subject title. The SMEs developed the questions to test underlying KSAs needed in order to successfully perform the duties of the subject title. Further, the appellants have not identified with any specificity which questions on part 1 of the exam were not relevant for the subject title and why those questions were irrelevant. Accordingly, they have not met their burden of proof.

### ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 6<sup>TH</sup> DAY OF OCTOBER, 2021

*Deirdre' L. Webster Cobb*

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